

district or accredited nonpublic school or the school for the deaf or the Iowa braille and sight saving school, and the department of education. The notice shall list the course, the clock hours the pupil will be attending the course, and the number of hours of postsecondary academic or vocational-technical credit that the eligible pupil will receive from the eligible institution upon successful completion of the course.

Sec. 3. Section 261C.5, Code 1993, is amended to read as follows:  
261C.5 HIGH SCHOOL CREDITS.

A school district, the school for the deaf, the Iowa braille and sight saving school, or accredited nonpublic school shall grant high school academic or vocational-technical credit to an eligible pupil enrolled in a course under this chapter if the eligible pupil successfully completes the course as determined by the eligible institution. Eligible pupils, who have completed the eleventh grade but who have not yet completed the requirements for graduation, may take up to seven semester hours of credit during the summer months when school is not in session and receive credit for that attendance, if the pupil pays the cost of attendance of those summer credit hours. The board of directors of the school district, the state board of regents for the school for the deaf and the Iowa braille and sight saving school, or authorities in charge of an accredited nonpublic school shall determine the number of high school credits that shall be granted to an eligible pupil who successfully completes a course.

The high school credits granted to an eligible pupil under this section shall count toward the graduation requirements and subject area requirements of the school district of residence, the school for the deaf, the Iowa braille and sight saving school, or accredited nonpublic school of the eligible pupil. Evidence of successful completion of each course and high school credits and postsecondary academic or vocational-technical credits received shall be included in the pupil's high school transcript.

Sec. 4. Section 261C.6, unnumbered paragraph 1, Code 1993, is amended to read as follows:

Not later than June 30 of each year, a school district shall pay a tuition reimbursement amount to an eligible postsecondary institution that has enrolled its resident eligible pupils under this chapter. For pupils enrolled at the school for the deaf and the Iowa braille and sight saving school, the state board of regents shall pay a tuition reimbursement amount by June 30 of each year. The amount of tuition reimbursement for each separate course shall equal the lesser of:

Approved April 28, 1993

---

## CHAPTER 70

### DISTRICT COURT — DUTIES OF CLERK — APPOINTMENT OF ASSOCIATE PROBATE JUDGE

*H.F. 527*

**AN ACT** relating to the duties of the clerk of the district court and the appointment of an associate probate judge.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 62.7, Code 1993, is amended to read as follows:  
62.7 WHEN AUDITOR IS PARTY.

When the auditor is a party, the clerk of the district court county treasurer shall receive such statement and approve such bond.

Sec. 2. Section 62.11, Code 1993, is amended to read as follows:

## 62.11 SUBPOENAS.

Subpoenas for witnesses may be issued at any time after the notice of trial is served, either by the clerk of the district court county treasurer or by the county auditor, and shall command the witnesses to appear at . . . . ., on . . . . ., to testify in relation to a contested election, wherein A . . . . . B . . . . . is contestant and C . . . . . D . . . . . is incumbent.

Sec. 3. Section 64.19, subsection 3, Code 1993, is amended to read as follows:

3. By a judge or the clerk of the district court of for the county in question, in case of members of the board of supervisors.

Sec. 4. Section 64.23, subsection 5, Code 1993, is amended to read as follows:

5. For members of the board of supervisors, with the clerk of the district court county auditor.

Sec. 5. Section 85.49, unnumbered paragraph 1, Code 1993, is amended to read as follows:

When a minor or mentally incompetent dependent is entitled to weekly benefits under this chapter, or chapter 85A or ~~chapter~~ 85B, payment shall be made to the clerk of the district court for the county in which the injury occurred parent, guardian, or conservator, who shall act as trustee, and the money coming into the ~~clerk's trustee's~~ hands shall be expended for the use and benefit of the person entitled to it under the direction and orders of a district judge. The ~~clerk of the district court, as trustee,~~ shall qualify and give bond in an amount as the district judge directs, which may be increased or diminished from time to time. If the domicile or residence of the minor or mentally incompetent dependent is within the state but in a county other than that in which the injury to the employee occurred the industrial commissioner may order and direct that weekly benefits be paid to the clerk of the district court of the county of domicile or residence.

Sec. 6. Section 85.50, Code 1993, is amended to read as follows:

## 85.50 REPORT OF TRUSTEE.

The clerk of the district court as such trustee shall, on or before September 30 of each year, make annual reports, at such times as designated by the court, to the court of all money or property received or expended for each the person for whom the clerk parent, guardian, or conservator is acting as trustee.

A clerk of the district court shall, upon resigning or being removed from office or otherwise becoming disqualified as clerk, make an accounting and final report to be approved by the chief judge of the judicial district and all funds and other property shall be delivered to the successor in the office of clerk of the district court.

Sec. 7. Section 255.18, Code 1993, is amended to read as follows:

## 255.18 REPORTS.

One duplicate copy of each of the reports named in sections 255.15 and 255.17 shall be preserved in the records of said the hospital, and the other transmitted to the clerk of the court where said order committing the patient to said hospital was entered, and by the clerk filed and preserved among the records in the cause.

Sec. 8. Section 602.8102, subsection 98, Code 1993, is amended to read as follows:

98. Carry out duties relating to trials and judgments as provided in sections 624.8 through ~~624.21~~ 624.20 and 624.37.

Sec. 9. Section 602.8102, subsections 16, 17, 18, and 22, Code 1993, are amended by striking the subsections.

Sec. 10. Section 633.16, Code 1993, is amended to read as follows:

## 633.16 CONTROL OF PROBATE RECORDS.

The court shall have jurisdiction and supervision of the probate records of the clerk, and may direct the destruction of records it deems to be old, obsolete or unnecessary, except that the probate record provided for in section 633.20 and the will record provided for in section 633.301 or a copy thereof, shall be preserved at all times.

Sec. 11. Section 633.20, Code 1993, is amended by adding the following new subsection: **NEW SUBSECTION. 3.** The chief judge of a judicial district may appoint an associate probate judge and may remove the associate probate judge for cause following a hearing. The associate probate judge shall be an attorney admitted to practice law in this state and shall be qualified for the position by training and experience. The associate probate judge shall have jurisdiction to audit accounts of fiduciaries and to perform ministerial duties and judicial functions as the court prescribes.

Sec. 12. Section 633.29, Code 1993, is amended to read as follows:  
**633.29 PROBATE RECORD.**

The clerk shall also keep a book to be known as the Probate Record that shall contain ~~full and complete~~ journal entries of all orders made in relation to the business of each estate. When ~~and journal entries~~ when real estate is sold or mortgaged by a fiduciary under an order of court ~~therefor, a complete record of the same shall be made in the probate record, including the petition, the notice, the returns of service, and all other papers filed, with the orders made relating thereto.~~

Sec. 13. Section 633.300, Code 1993, is amended to read as follows:  
**633.300 CERTIFICATE OF PROBATE.**

When a will has been admitted to probate the clerk shall have a certificate of such fact, endorsed thereon or annexed thereto, signed by the clerk and attested by the seal of the court; and, when so certified, it, ~~or the record thereof,~~ or the transcript of ~~such~~ the record properly authenticated, may be read in evidence in all courts without further proof.

Sec. 14. Section 633.301, Code 1993, is amended to read as follows:  
**633.301 RECORD — COPY OF WILL FOR EXECUTOR.**

When a will has been admitted to probate, ~~it, together with the certificate herein required, shall be recorded in a book kept for that purpose,~~ and certified pursuant to section 633.300, the clerk shall cause an authenticated copy thereof to be placed in the hands of the executor to whom letters are issued. The clerk shall retain the will in a separate file provided for that purpose until the time for contest has expired, and promptly thereafter shall place it with the files of ~~said the~~ estate.

Sec. 15. Sections 602.6203, 624.21, and 633.30, Code 1993, are repealed.

Approved April 28, 1993

---

## CHAPTER 71

### MASSAGE THERAPISTS

*H.F. 562*

**AN ACT** relating to requirements for licensure of massage therapists.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 152C.3, subsection 1, paragraph a, Code 1993, is amended to read as follows:

a. Completion of a curriculum of massage education at a ~~state licensed or an accredited~~ school approved by the department which requires for admission a diploma from an accredited high school or the equivalent and requires completion of at least five hundred hours of supervised academic instruction. However, educational requirements under this paragraph are subject to reduction by the department if, after public notice and hearing, the department determines that the welfare of the public may be adequately protected with fewer hours of education.